

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 29, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Ann Taylor, County Clerk's Office
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 22, 2005.**

MOTION: Workman moved and Heier seconded approval of the minutes of the Board of Commissioners meeting held on November 22, 2005. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

- 2) **CLAIM FOR REVIEW:**

A. A payment voucher payable to Industrial Services, Inc. for invoice 124-1000, in the total amount of \$1,555.19 which includes a carry forward fuel charge of \$128.82 and a current fuel charge of \$74.36. The current contract does not include payment for fuel surcharges.

MOTION: Stevens moved and Heier seconded approval of a payment, in the amount of \$1,352, removing the carry forward fuel charge of \$128.82 and the current fuel charge of \$74.36. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

- 3) **CLAIMS:** Approval of all claims processed through Tuesday, November 29, 2005.

MOTION: Heier moved and Schorr seconded approval of all claims processed through November 29, 2005. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

- 4) **OLD BUSINESS:**

- A. A contract for professional services with the Lincoln-Lancaster County Human Services Federation for the oversight and administration of the Community Services Initiative. The County will pay up to \$100,000 for the services. Term of the agreement is July 1, 2005 through June 30, 2006. (C-05-0503)

Item held at the request of the County Attorney's Office.

- 5) **NEW BUSINESS:**

- A. A resolution in the matter of Comprehensive Plan Conformance No. 05010: Adopting the One and Six Year Road and Bridge Construction Program for Lancaster County, Fiscal Years 2006 and 2007-2011. (R-05-0156)

Don Thomas, County Engineer, indicated there have been no changes.

MOTION: Workman moved and Stevens seconded approval of Resolution 05-0156 in the matter of Comprehensive Plan Conformance No. 05010: Adopting the One and Six Year Road and Bridge Construction Program for Lancaster County, Fiscal Years 2006 and 2007-2011. Stevens, Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

- B. An amendment to an agreement with the Law Office of Joy Shiffermiller under County Contract C-04-0002 for legal representation to indigent parties in proceedings in the Juvenile Court of Lancaster County. The parties previously entered into an amendment under County Contract C-05-0499 to authorize Patrick Driver to provide services under the original agreement. The Contractor has informed the County that Patrick Driver is no longer employed with the law firm. As a result, the parties wish to amend the agreement to reflect such change. (C-05-0582)

5) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Stevens seconded approval of an amendment to an agreement with the Law Office of Joy Shiffermiller under County Contract C-04-0002 for legal representation to indigent parties in proceedings in the Juvenile Court of Lancaster County. Heier, Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

C. Acceptance of proposal and agreement with the Lincoln League of Women Voters to assist with voter registration sites and provide election night workers in Lancaster County. The County will pay up to \$1,100 for the services. Term of the agreement is September 1, 2005 to August 31, 2006. (C-05-0583)

MOTION: Workman moved and Stevens seconded approval of the acceptance of proposal and agreement with the Lincoln League of Women Voters to assist with voter registration sites and provide election night workers in Lancaster County. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

D. Notice of Intent requesting discharge authorization for storm water from construction sites to the Nebraska Department of Environmental Quality for the Jamaica North Trail.

MOTION: Workman moved and Stevens seconded approval of a notice of intent requesting discharge authorization for storm water from construction sites to the Nebraska Department of Environmental Quality for the Jamaica North Trail. Schorr, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

E. A political subdivision tort claim filed against the Lancaster County Corrections Department by David Amerson for lost property, in the amount of \$84.65.

MOTION: Stevens moved and Heier seconded to accept the Director's recommendation and approve a political subdivision tort claim filed against the Lancaster County Corrections Department by David Amerson for lost property, in the amount of \$20. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

6) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Setting of public hearings for Tuesday, December 13, 2005 at 1:30 p.m. in the Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. County Final Plat No. 05095, Whitetail Ridge Addition, requested by Brian D. Carstens and Associates on behalf of Bruce D. Tiedeman and Beverly A. Tiedeman, for 14 lots and two outlots, on property generally located southwest of the intersection of South 25th Street and Roca Road in Lancaster County, Nebraska.

2. County Final Plat No. 05106, The Preserve at Cross Creek 2nd Addition, requested by Brian D. Carstens and Associates on behalf of Land II, L.L.C. for five lots on property generally located at South 68th Street and Roca Road in Lancaster County, Nebraska.

MOTION: Stevens moved and Heier seconded approval of the Consent Items. Heier, Stevens, Schorr, Workman and Hudkins voted aye. Motion carried.

7) **OTHER BUSINESS:**

Hudkins thanked Commissioners Schorr and Stevens for meeting with the Governor in his absence.

MOTION: Schorr moved and Stevens seconded to add an item to the agenda regarding entering into Executive Session for the purpose of discussing pending litigation. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

The Board of Commissioners meeting was recessed at 1:40 p.m. to address Board of Equalization issues.

The Board of Commissioners meeting was reconvened at 1:57 p.m..

8) **EXECUTIVE SESSION:**

MOTION: Schorr moved and Workman seconded to enter into Executive Session at 1:58 p.m. for the purpose of discussing pending litigation. Stevens, Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

MOTION: Stevens moved and Heier seconded to exit Executive Session at 2:18 p.m.. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

9) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Commissioners meeting at 2:18 p.m.. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

Patricia Owen
Chief Deputy County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 29, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Scott Gaines, Deputy County Assessor/Register of Deeds
Kristy Mundt, Deputy County Attorney
Rob Ogden, Deputy County Assessor/Register of Deeds
Ann Taylor, County Clerk's Office
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 1:40 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 22, 2005.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on November 22, 2005. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 5 additions and deductions to the tax assessment rolls per Attachment "A".

MOTION: Stevens moved and Schorr seconded approval of the additions and deductions to the tax assessment rolls. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Alzheimer's Association
Gentle Shepherd Baptist Church
Parkview Christian School**

MOTION: Stevens moved and Workman seconded approval of the motor vehicle tax exemptions. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

4) **APPEAL FILED ON DENIAL OF HOMESTEAD EXEMPTION:**

H. Ilene Anderson

Ilene Anderson appeared and gave a brief explanation of her appeal. Also submitted into the record were photographs of the property (Exhibit 1).

Scott Gaines, Deputy County Assessor/Register of Deeds, explained that the maximum value which is subject for a homestead exemption is \$214,000. He stated that the subject property is valued at \$234,400 and would not be eligible for a homestead exemption.

MOTION: Schorr moved and Heier seconded to deny the appeal filed on the denial of a homestead exemption for H. Ilene Anderson. Workman, Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

5) **APPEAL OF PENALTY ASSESSED ON PERSONAL PROPERTY FOR 2005:**

Aerial Company, Inc.

Gaines explained the appeal is related to a penalty imposed on a late filing of personal property. Recommendation was denial.

MOTION: Workman moved and Heier seconded to accept the Deputy County Assessor/Register of Deeds and deny the appeal of penalty assessed on personal property for 2005 for Aerial Company, Inc. Stevens, Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Equalization meeting at 1:57 p.m.. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

Patricia Owen
Chief Deputy County Clerk